

The Newport Mercury.

VOL. LXXXVI }

NEWPORT, R. I., SATURDAY MORNING, APRIL 3, 1847.

{ NO. 4132.

THE NEWPORT MERCURY,

IS PUBLISHED EVERY SATURDAY MORNING BY

J. H. BARBER & SON.

No. 133 Thames Street.

TERMS—Two Dollars per annum.

Advertisements not exceeding a square inserted three weeks for \$1, and 17 cents will be charged for each subsequent insertion. Yearly Advertisements can make contracts on liberal terms. All Advertisements will be continued until for- gotten, unless when no particular time is specified, and will be charged for accordingly. The circulation of the Mercury enjoys, renders it a valuable medium for Advertising.

No Paper discontinued (unless at the dis- cretion of the Publishers) until arrearages are paid.

Weekly Almanac.

DATE.	SUN rises.	SUN sets.	MOON rises.	MOON sets.
3 SATURDAY,	5 39.0	21.9	31.8	47
4 SUNDAY,	6 37.6	23.10	29.9	54
5 MONDAY,	6 36.0	24.11	28.10	43
6 TUESDAY,	6 35.6	25.10	26.11	19
7 WEDNESDAY,	6 34.6	26.0	17.10	11
8 THURSDAY,	6 32.5	26.1	9.0	23
9 FRIDAY,	6 31.0	26.1	54.1	20

MOON LAST QU. 8th day, 9 hour, 56m. morning.

POST OFFICE Arrangement.

MAILS CLOSE,

PROVIDENCE,	Daily,	8 1/2 A. M.
BOSTON,	do	8 A. M.
NEW YORK,	do	8 1/2 A. M.
PALE RIVER,	do	8 A. M.
WATERBURY, Tuesdays and Fridays,		6 A. M.
NEW SHOREHAM, Fridays,		5 A. M.

Office open till 7 P. M.

JOSEPH JOSLEN, Post Master.

Office open till 7 P. M.

JOSEPH JOSLEN, Post Master.

DISCOUNT DAYS.

At the several Banks in this Town.

MERCHANTS BANK, on Monday afternoon.

NEWPORT EXCHANGE BANK, on Monday evening.

NEWPORT BANK, on Tuesday afternoon.

NEW ENGLAND COMMERCIAL BANK, on Tues- day afternoon.

R. I. ISLAND UNION BANK, on Wednesday morning.

BANK OF RHODE ISLAND, on Thursday after- noon.

TRADERS BANK, on Thursday evening.

CUSTOM HOUSE,

Office Hours.

From 9 A. M. to 5 P. M. and 7 P. M. to 5 P. M.

EDWIN WILBUR, Collector.

Fruit, Shade & Ever-

green TREES,

SHRUBS, HERBACEOUS, BULBOUS, GREEN

AND HOT HOUSE PLANTS.

Cultivated and for sale at the Botanic Garden &

Nursery of FERDINAND POTTER, ANSON

POTTER, and ANSON H. POTTER,

Cranston, R. I.

THE Proprietor, in tendering his

new Catalogue, desires to state that

his Fruit and Ornamental Trees, &c.,

are nearly all of fine size and vigor-

ous growth, and superior to any he-

fore offered to the public. The establishment

contains at the present period, nearly half a mil-

lion of trees and plants; and the Proprietor is wil-

ling to enter into arrangements of the most liberal

description, both as to prices and credit, with all

such persons as desire large quantities of trees, &c.

The fruit trees in this Catalogue, are either

grafted or inculcated, and are propagated from

those kinds which have acquired a well-merited

celebrity, both in this country and in Europe.

TREES sent from this establishment

are selected and labelled with due pre-

caution and care; and if wished, are

packed in mats or straw, for

which a reasonable charge is made.

Catalogues, containing some very useful in-

formation in regard to transplanting trees) are just

received and can be had gratis of CHARLES N.

TILLEY, Agent for Newport county. Office

No. 128 Thames street, up stairs,—where all or-

ders will be received and punctually attended to.

Newport, March 6, 1847.

ACIEST and REAL

Linnean Botanic Garden

AND NURSERY,

late of WILLIAM PRINCE deceased

PLUSHING, L. I. NEAR NEW YORK.

THE NEW PROPRIETORS of

this celebrated Nursery, known as

PRINCE'S, and exclusively designated

by the above title for nearly fifty

years, offer for sale every description,

including the newest and choicest varieties of

—FRUIT AND ORNAMENTAL TREES,

Shrubs, Vines, Plants, Roses, &c., and the genu-

ineness of which may be depended upon; and they

will unremittently endeavor to merit the Con-

fidence and Patronage of the Public, by EXTENSIVE

and LIBERALITY in dealing, and Moderation in

charges.

WINTER & CO.,

March 13, 1847.]

Proprietors

ORDERS received by CHARLES N.

TILLEY, 128 Thames street, (up stairs.) New-

port, R. I.

TOYS! TOYS!!

NOW is your time to buy Toys. Young has

the largest assortment in town, and a "kicker"

cheaper than any one else. Next South of the

Town Hall.

1100

HAVANA, Oranges, just received and for sale at

YOUNG'S, next south of the Town Hall.

PIGS and Dates, fresh and good, at

YOUNG'S, next south of the Town Hall.

BIRD SEED and CAGES, for sale cheap, at

YOUNG'S.

POETS' CORNER.

Oh watch you well by daylight.

BY SAMUEL LOVER.

Oh watch you well by daylight,
By daylight may you fear,
But keep no watch in darkness—
The angels then are near:
For Heaven the sense bestoweth,
Our waking life to keep,
Its tender mercy showeth,
To guard us in our sleep.
Then watch you well by daylight,
By daylight you may fear—
But keep no watch in darkness—
The angels then are near.

Oh watch you well in pleasure—
For pleasure oft betrays,
But keep no watch in sorrow,
When joy withdraws its rays;
For in the hour of sorrow,
As in the darkness drear,
To heaven entrust the morrow,
For angels then are near.
Oh watch you then by daylight,
By daylight you may fear,
But keep no watch in darkness—
The angels then are near.

SUCCESSFUL ENGLISH WHALING.—We

copy the following from the London Times:

In connexion with the subject of British

whaling, which has lately been regarded

with some interest, it may be mentioned

that within the last few days one of the few

remaining British ships employed in the

southern fishery, the Samuel Enderby, has

arrived at Deptford, bringing from the fish-

ery 2,300 barrels of sperm oil, estimated at

a value of 21,000*l*. The vessel had been

absent three years and five months, so that,

allowing for the voyage out and home and

probable delays in port, the time actually

employed in fishing has been under two

years and a half, the produce being, there-

fore, at the rate of about 950 barrels per

annum, which much exceeds the present

average return by ships from England or

America. Indeed, the cargo now brought

is stated to be the largest obtained by any

British single whaler since July, 1841, with

the exception only of the Lady Amherst,

belonging to the same owners, which arrived

in February, 1843, with 2,592 barrels.

The voyage just concluded is the fifth

which the Samuel Enderby has made.—

She is described as a model of her class,

having been built and equipped expressly

for the trade, and so as to combine the

solid requirements of a whaling ship with

the sailing qualities of a yacht. Her com-

mander has the repute of having obtained

in seven voyages a larger quantity of oil

than any other English or American mas-

ter.

PROGRESS OF CHRISTIANITY.—REV. M.

L. BLUN, writing from Mauritius, in October

says of Madagascar:—

"The Christians, though still persecuted

are increasing. There has been a great

awakening among them, and more than one

hundred new converts. Among the num-

ber is the prince royal, presumptive heir to

the throne, and the only son of Ranavalona.

The queen had given orders to apprehend

all the Christians, and twenty-one of them

were condemned to death, when the young

prince stepped forward to defend them; he

succeeded so far that only nine of the

twenty were obliged to take the *tanga*.

One of them died in consequence.

The rest were reduced to slavery, but re-

deemed by their friends. It is rumored

that the prince contributed liberally to

their redemption.

THE SLIPPERY ELM.—One of the most

valuable as it is a well known article in our

country, is the Slippery Elm, *Ulmus Fulva*.

All our apothecaries keep it, both the flower

and the bark. It is generally called slip-

pery elm, red elm, or rough leaved elm. It

is indigenous to our country, and what is

remarkable, yet but little known, it contains

a great amount of human nourishment. It

is medicinal also. It is an excellent sub-

stitute for water, and you can carry in your

waistcoat pocket sufficient to subsist upon

for ten days. The shipwrecked sailor, the

soldier in Mexico and the traveller on the

Prairies, should never be without it.—It

always mitigates hunger, and is nourishment

and drink. Let no ship go to sea without

it, no traveller fail to have it with him, no

army march without it.

Charles Thompson, the vile miscreant

who assisted in the violation of his wife, in

Southington, Conn., has been sent to the

state prison for life.

27,751 sacks of corn arrived at New Or-

leans on the 1st inst.

SELECTED TALE.

The Soft Answer.

BY T. S. ARTHUR.

"I'll give him law to his heart's content, the scoundrel!" said Singleton, walking backward and forward, in an angry state of excitement.

"Don't call harsh names, Mr. Single- ton," said lawyer Trueman, looking up from the mass of papers before him, and smiling in a quiet, benevolent way, that was peculiar to him.

"Every man should be known by his true name. Williams is a scoundrel, and so he ought to be called!" responded the client with increasing warmth.

"Did you ever do a reasonable thing in your life when you were angry?" asked Mr. Trueman, whose age and respectability gave him the license to speak thus freely to his young friend, for whom he was endeavoring to arrange some business difficulty with his former partner.

"I can't say that ever I did, Mr. Trueman; but now I have good reasons for being angry, and the language I use, in reference to Williams, is but the expression of a sober and rational conviction," replied Singleton, a little more calmly.

"Did you pronounce him a scoundrel before you received this reply to your last letter?" asked Mr. Trueman.

"No, I did not; but that letter confirmed my previously formed impressions of his character."

"But I cannot find in that letter, any evidence proving your late partner to be a dishonest man. He will not agree to your proposed mode of settlement, because he does not see it to be the most proper way."

"He won't agree to it, because it is an honest and equitable mode of settlement, that is all! He wants to over-reach me, and is determined to do so if he can!" responded Mr. Singleton, still excited.

"There you are decidedly wrong," said the lawyer. "You have both allowed yourselves to become angry, and are both unreasonable; and if I must speak plainly, I think you are the most unreasonable in the present case. Two angry men can never settle any business properly. You have unnecessarily increased the difficulties in the way of a speedy settlement, by writing Mr. Williams an angry letter which he has responded to in the like unhappy temper."

Now, if I am to settle this business for you, I must write all letters that pass to Mr. Williams in future."

"But how can you properly express my views and feelings?"

"That I do not wish to do, if your views and feelings are to remain as they now are—for anything like the adjustment of the difficulties, under such circumstances, I should consider hopeless," replied Mr. Trueman.

"Well, let me answer this letter, and after that, I promise that you shall have your own way."

"No, I shall consent to no such thing.—It is the reply to that letter which is to modify the negotiation for a settlement, in such a way as to bring success or failure; and I have no idea of allowing you, in the present state of your mind, to write such an one as will most assuredly defeat an amicable adjustment."

Singleton paused some time before making a reply. He had been forming in his mind a most cutting and bitter rejoinder to the letter just alluded to, and he was very desirous that Mr. Williams should have the benefit of knowing that he thought him a tricky and deliberate scoundrel, with other opinions of a similar character. He found it, therefore, impossible to make up his mind to let the unimpassioned Mr. Trueman write this most important epistle.

"Indeed, I must write this letter, Mr. Trueman," he said. "There are some things that I want to say to him, which I know you won't write. You don't seem to consider the position in which he has placed me by that letter, nor what is obligatory upon me as a man of honor. I never allow any man to reflect upon me, directly or indirectly, without a prompt response."

"There is, in the Bible," said Mr. Trueman, "a passage that is truly applicable in the present case. It is this—'A soft answer turneth away wrath, but grievous words stir up anger.' I have found this precept, in a life that has numbered more than double your years, to be one that may be safely and honorably adopted in all ca-

ses. You blame Mr. Williams, for writing you an angry letter, and are indignant at certain expressions contained therein.—Now is it any more right for you to write an angry letter, with cutting epithets, than it is for him?"

"But, Mr. Trueman,"—

"I do assure you, my young friend," said the lawyer interrupting him, "that I am acting in this case for your benefit, and not for my own; and, as your legal adviser, you must submit to my judgement, or I cannot consent to go on."

"If I will promise not to use any harsh language, will you not consent to let me write the letter?" urged the client.

"You and I, in the present state of your mind, could not possibly come at the same conclusion in reference to what is harsh and what is mild," said Mr. Trueman; "therefore I cannot consent that you should write one word of the proposed reply—I must write it."

"Well I suppose then, I shall have to submit. When will it be ready?"

"Come this afternoon, and I will give you a draft, which you can copy and sign."

In the afternoon, Mr. Singleton came, and received the letter prepared by Mr. T. It ran thus, after the date and formal address,—

"I regret that my proposition did not meet your approbation. The mode of settlement which I suggested was the result of a careful consideration of our mutual interests. Be kind enough to suggest to Mr. Trueman, my lawyer, any plan which you think will lead to an early and amicable adjustment of our business. You may rely upon my consent to it, if it meets his approbation."

"Is it possible, Mr. Trueman, that you expect me to sign such a cringing letter as that?" said Singleton, throwing it down, and walking backward and forward with great irritation of manner.

"Well, what is your objection to it?" replied Mr. Trueman, mildly, for he was prepared for such an exhibition of feeling.

"Objection! How can you ask such a question? Am I to go on my knees to him, and beg him to do me justice? No! I'll sacrifice every cent I've got in the world first, the scoundrel!"

"You wish to have your business settled, do you not?" asked Mr. Trueman looking him steadily in the face.

"Of course I do—honorably settled!"

"Well, let me hear what you mean by an honorable settlement."

The young man hesitated a moment, and Mr. T. said,

"Why, I mean—"

"You mean a settlement in which your interest shall be equally considered with that of Mr. Williams."

"Yes, certainly, and that!"

"And that," continued Mr. Trueman, "Mr. Williams in the settlement shall consider and treat you as a gentleman?"

"Certainly I do, but that is more than he has done."

"Well, never mind. Let what is past go for as much as it is worth. The principal point of action is in the present."

"But I'll never send that mean, cringing letter, though."

"You mistake its whole tenor, I do assure, Mr. Singleton. You have allowed your angry feelings to blind you. You certainly carefully considered before you adopted it, the proposed basis of settlement, did you not?"

"Of course I did."

"So the letter which I have prepared for you states. 'Now as an honest and honorable man, you are, I am sure, willing to grant to him the same privilege which you asked for yourself, viz: that of proposing a plan of settlement. Your proposition does not seem to please him, now it is but fair that he should be invited to state how he wishes the settlement to be made—and in giving such an invitation, a gentleman should use gentlemanly language.'

"But he don't deserve to be treated like a gentleman. In fact he has no claim to the title," said the young man.

"If he has none, as you say, you profess to be a gentleman, and all gentlemen should prove by their actions and words that they are gentlemen."

"I can't say that I am convinced by what you say; but, as you seem to be bent on having your own way, why, here, let me copy the thing and sign it," said the young man, suddenly changing his manner.

"There, now," he added, passing across the table the brief letter he had copied, "I suppose he'll think me a low spirited fellow."

after he gets that; but he's mistaken.—After it's all over, I'll take good care to tell him that it didn't contain my sentiments."

Mr. Trueman smiled, as he took the letter, and went on to fold and direct it.

"Come to-morrow afternoon,

ARMY & NAVY NEWS.

THE FORCES UNDER THE COMMAND OF GEN. TAYLOR.—We have been permitted to examine a statement prepared at the office of the Adjutant General of the Army, showing as nearly as can be ascertained, the amount of force left under the orders of Gen. Taylor after the withdrawal of a part of the army of occupation for service under Gen. Scott. The statement embraces the regular troops left under the command of Gen. Taylor, together with the regiments of volunteers called out in November 1846, three of which are known to have already arrived on the Rio Grande. There can be little, if any doubt, indeed, that they all reached Matamoros before the 23d inst.

According to this statement, the aggregate of force, both regular and volunteer, under the orders of Gen. Taylor, as shown upon the muster rolls, is 13,910. Of these, 1,122 are regular troops; 8,252 are volunteers of the levies of May and June last; making a total of 9,374 men, exclusive of the new volunteer regiments. But it is supposed that of the 9,374, not more than 8,000 certainly should be counted as effective. It is probable, indeed, that of these troops in the field, the effective force may not exceed 7,500. To this number, however may be added the new regiments of volunteers called out in November, 1846, amounting to 4,536. Of these not more than 4,000 can probably be reckoned as effective. The whole actual effective force therefore, under the command of Gen. Taylor, is not far from 12,000.

The same statement exhibits also, so far as is known, the distribution of the troops (exclusive of the new regiments) along the line of the Rio Grande from Brazos to Camargo, and thence along the line of operations to Monterey and Agua Nueva. From this part of the statement, it appears that there are at the posts on the Rio Grande including Brazos Island, Point Isabel, Fort Brown, Matamoros, Camargo, and Mier, a total number of 1,434 troops. Of these, 643 are at Camargo; 593 are at Matamoros and Fort Brown on the other side of the river. But the new regiments must already have reinforced some if not all these posts; and the number of troops now at Camargo is not less than 1,500. The garrison at Monterey numbers 1,327 troops, with 40 pieces of artillery. Between the posts on the Rio Grande and Monterey, at Torero, Santa Agueda, Cerralvo, and Marin, there are about 700 troops; and the remainder of the force, as above stated, is supposed to be at Agua Nueva, (the headquarters of Gen. Taylor, when last heard from officially), at Saltillo, and at the Pass of the Rinconada.—*Washington Union.*

From the *Washington Union*, Monday.

In our article in Thursday night's "Union," under the head of "The forces under the command of General Taylor," the number of troops, and their distribution, as derived from the statement proposed by any one that the General had under his immediate command a greater force than was actually the case, it may be proper to state in more specific terms the number of troops which, it is supposed, were with Gen. Taylor, at and near Saltillo. We understand, at the war office, that the force at and in the position near Saltillo, was about five thousand nine hundred, of which a little upward of five thousand may be counted as effective; and this is the whole amount which could have been brought into the field to oppose Gen. Santa Anna at any point between Monterey and Agua Nueva, unless a conflict took place very near Monterey; in which case, part of the troops there stationed (some twelve or thirteen hundred) would, no doubt be made available.

We may add, of the force at Saltillo, there are four companies of United States Artillery, well equipped, with eighteen guns, and four companies of dragoons—making, in all, about six hundred and fifty regulars.

Should Col. Morgan have succeeded in making his way from Cerralvo to Monterey, he would carry into Gen. Taylor's camp a reinforcement of from 400 to 500 volunteers.

We understand that five regiments—viz: from South Carolina, North Carolina, Virginia, Massachusetts and Mississippi—called out by the orders of November for nine regiments, were to be placed at the command of Gen. Taylor. We repeat these would nominally amount to 4,526 troops; but, making every allowance for deaths, sickness, and other deductions, they may be estimated at 4,000 effective, with the exception of the Massachusetts regiment, which sailed a fortnight ago, these regiments must have arrived at the Brazos, and be on their destination up the river, or to their posts. The other four regiments are with Gen. Scott.

Of the ten regiments to be raised under the last regiment law of February, which are sent off by sixties and seventies as fast as they are recruited, it is expected that at least 2,000 would be at Brazos, or near that destination, by the end of March, and 3,600 by the middle of April. These will be sent on from the Rio Grande to Monterey, under the discretionary direction of Gen. Calwallader, in small numbers and in such manner as he may consider safe and expedient. The last recruits will be placed at posts on the river, to take the place of those who have been longer in the service, and who are now at those posts, but will first be despatched to General Taylor.

Orders have gone on to Gen. Brooke at New Orleans, to organize, according to the laws as many as 4,000 troops from Louisiana. And if Gen. Scott can spare any of his troops, after taking the Castle, he will probably send a detachment to the relief and strengthening of Gen. Taylor.

A duel was fought on the 6th inst., at Tampico between Col. De Russey and Capt. Hunt, of the Louisiana Regiment. Capt. H. received a slight flesh wound in the breast.

From the *N. Orleans Picayune*.

The brig Adams, Gray, arrived on Sunday night from Havana, having sailed on the 14th inst. By her we have papers to the 13th.

In the "Diario de la Habana" it is announced, on the authority of a letter from Tepic of the 11th February, that an expedition of Americans was about to attack the Pacific coast of Mexico, consisting of 4050 sailors and more than 1000 soldiers. Guaymas, Mazatlan and San Blas were indicated as the first points of attack, after possession had been taken of both Californias.

By the way of Havana we have later accounts from the Pacific.

The California expedition touched at Valparaiso instead of Callao as we mentioned. The Loo Choo and Susan Drew, arrived on the 18th and 19th of January from Rio. They sailed again on the 23d for California. During the voyage there died on the Susan Drew two men, Thomas Kent, of New York city, aged 25, and Wm. Palmer, of the same place, aged about 36.

David Strong fell overboard from the Loo Choo off Cape Horn in a gale. Efforts made to rescue him were in vain. He was from Oxford, N. Y. About ten minutes after this casualty, an officer who had been very active in making efforts to save him fell dead upon the deck. This was Lieut. Wm. R. Tremmells, of New York city, aged 38. Upon post mortem examination his heart was found to have been diseased.

The third ship in the expedition, the Perkins, had not arrived, but it was thought she might have passed on without touching.

The sloop of war Preble arrived at Valparaiso on the 26th of January, and had not sailed when our informant left there on the 28th.

The Levant sailed for Rio on the 24th of December on her way home.

The French admiral's ship Virginia, of sixty guns, Sir George Seymour's flag ship, the Collingwood, the Carysfort, and the steamer Samson were lying at Valparaiso on the 27th of January.

The French transport L'Allier arrived at the same port on the 23d with three hundred and fifty troops, and others were expected. Supposed to be on their way to Tahiti.

FROM CALIFORNIA.—The following is an extract from a letter dated Yerba Buena, California, Nov. 18th, 1846, received by a mercantile house in this city:—

My last was dated 25th August, when I informed you that the country was entirely in possession of the Americans. Since then the natives have revolted. More than two months now the leeward country has been under the Mexican flag. The Commodore left but small forces there and came to the north with most of his men; the Californians immediately commenced an insurrection, and had but little trouble in driving the few Americans from the country. Juan Capustan, the country is in possession of the Californians; 150 Americans under Gillespie, have possession of St. Diego. Col. Fremont, with 500 men and 4 pieces of artillery, left Monterey on the 16th inst. for the South, where the U. S. ship Congress awaits his movements. Two months must elapse before peace is restored. The windward coast has remained comparatively quiet. Over 500 men have emigrated here this season, many of whom are now engaged with Col. Fremont, and the others are forming a busy settlement about St. Francisco. This is the central point and we have already something of a town; next year 200 houses will be built, being double the number now existing. As Americans can now hold property here, they have taken advantage of the times to secure building lots; speculation is active; large tracts of land are daily changing hands, and we see the bustle of American industry in all the north of California.

Boston Daily Advertiser.

VERA CRUZ.—The following is given as a list of the vessels forming the U. S. Naval force in the Gulf of Mexico:—

Line Ship	Ohio, Captain Stringham.....	74
Frigate	Potomac, Captain Aulick.....	56
	Baritan, Captain Forrest.....	52
Sloop of war	John Adams, Capt. McCluney.....	20
	St. Mary's, Capt. Saunders.....	20
	Germantown, Com. Buchanan.....	20
	Albany, Com. Broese.....	20
	Saratoga, Com. Farragut.....	20
	Decatur, Com. Pinckney.....	16
Brig of war	Porpoise, Lieut. Com. Hunt.....	10
	Perry, Lieut. Barron.....	10
Steamer	Mississippi, Com. Perry.....	10
	Alleghany, Capt. Hunter.....	10
	Princeton, Capt. Engle.....	0
	Spartan, Capt. Tatnall.....	3
	Vixen, Capt. Sands.....	3
	McLean, Capt. Howard.....	3
	Union, Capt. Budd.....	4
	Hunter, Lieut. McLaughlin.....	6
	Polk, Capt. O'Brien.....	6
	Petrel.....	6
	Scorpion, Com. Bigelow, 64 pr.....	1
	Seagull, Lieut. Hunter.....	1
Store Ship	Relief, Lieut. Com. Bullis.....	6
	Supply.....	2
	Fredonia, Lt. Com. Chaucey.....	2
Sole of war	Bonita, Lieut. Benham.....	1
	Reefers.....	1
	Petrel, Lieut. Shaw.....	1
Bomb Ketch	Tampico, Midshipman Perry.....	1
	Stramboli, Com. Walker, 85 pr.....	1
	Etna, Com. Van Brunt.....	1
	Vesuvius, Capt. McGruder.....	2
	Hecla, Lieut. Fairfax.....	1
	Electra.....	1
Sloop	Mariner.....	1
Cutter	Forward, Capt. Nones.....	6
	Bwing, Capt. Moore.....	6
Total number of guns.....		393

CAPT. JAMES TURNER, of the California Expedition, who returned from Rio as bearer of despatches from Mr. Wise, our Minister in Brazil, received orders on Tuesday, from Adjutant General Jones, to recruit immediately one hundred volunteers, for the California Regiment. They will be received in detachments of fifty each, by Colonel Crane, superintendent of the recruiting service, and sent to Fort Columbus. When the requisite number is completed, the troops will be sent to California with all possible despatch.—*N. Y. Express.*

Memorandum of the Battle of Buena Vista.

From the *New Orleans Picayune*, 23d.

Dr. Turner, U. S. A., who arrived at Matamoros on the 9th inst. from Monterey, brought the glorious intelligence of another brilliant victory over the Mexican army. The scene of action was at Buena Vista, a hacienda about six miles west of Saltillo. The fighting commenced on the 22d February and ended on the 23d. Santa Anna retired to Agua Nueva, a distance of ten miles, leaving four thousand killed and wounded on the field. Santa Anna's Adjutant General and many other officers and men are prisoners.

The loss on our part was seven hundred killed and wounded. Santa Anna's force amounted to at least fifteen thousand men; that of General Taylor to about five thousand, almost entirely volunteers. His army is composed of Washington's, Bragg's and Thomas's batteries, one squadron of the 1st (Sherman's) and one of the 2d dragoons, the Arkansas and Kentucky cavalry, a brigade of Illinois and one of Indiana volunteers, the 1st Mississippi and 2d Kentucky regiments, and one company of Texas volunteers. Dr. T. brought a list of 63 officers killed and wounded.

We annex Santa Anna's own account of the action of Buena Vista, as translated for the Tampico Sentinel. We have the original Spanish account in our possession:—

CAMP NEAR BUENA VISTA, Feb. 23.

Excellent Sir:—After two days of battle in which the enemy, with a force of 8,000 to 9,000 men and twenty-six pieces of artillery, lost five of his positions, three pieces of artillery and two flags, I have determined to go back to Agua Nueva to provide myself with provisions, not having a single biscuit or a grain of rice left. Thanks to the position occupied by the enemy, he has not been completely beaten, but he left on the field about 2000 dead. Both armies have been cut to pieces, but the trophies of war will give you an idea on which side has been the advantage. We have struggled with hunger and thirst during forty hours, and if we can provide ourselves with provisions we will go again to charge the enemy. The soldiers under my command have done their duty and covered the honor of the Mexican nation with glory. The enemy has seen that neither his advantageous position, nor the broken nature of the ground, nor the rigor of the season (for it has been raining during the action) could prevent the terrible charge with the bayonet, which left him terrified.

SANTA ANNA.

From the *N. O. Delta*, March 23d.

On the 9th of March Dr. Turner, U. S. A., after many dangerous and hair breadth escapes, arrived in safety at Matamoros. Previous to his arrival, the communications between Monterey and our lines on the Rio Grande had been closed for several days. Dr. Turner communicated to one of our correspondents a hurried account of the severe battle of Buena Vista, fought between Gen. Santa Anna's forces, about 17,000 strong, and Gen. Taylor's little army, between 4 and 5,000, mostly volunteers.

The battle began on the glorious anniversary of the birth of Washington, a fit day for the display of American patriotism and valor. The scene of this bloody fight is about seven miles from Saltillo.

The Mexicans advanced with great boldness, bravely led on by their best officers, but were met by our gallant volunteers with the cool firmness of veteran soldiers. A fierce and long battle ensued, the Mexicans charging with their bayonets to the very muzzles of our artillery and receiving the deadly fire of our guns, with unflinching courage.

Our men gave not an inch, but maintained their position on the bloody field the whole day of the 22d, and on the next day until the evening, when the Mexicans retired to Agua Nueva, leaving their killed and wounded, and all their wounded, on the field where they fell.

The killed and wounded on the Mexican side are estimated at 4,000. Some of the Mexican officers taken prisoners admit that their loss was at least 2,000. That the victory was on the side of Gen. Taylor is abundantly proved by Santa Anna's precipitate retreat eighteen or twenty miles to the rear.

This victory has been achieved at great sacrifice on our part. The ardor of our volunteer officers led them into the hottest part of the fight, and consequently the number of field officers killed and wounded is lamentably great. Every volunteer colonel but one was either killed or wounded.

From the *N. O. Mercury*.

We are indebted to Col. Hunt for the following official account of the killed and wounded:—

KILLED.—Col. A. Yell, Arkansas cavalry; Col. McKee, Kentucky foot rifles; Col. J. J. Hardin, 1st regiment Illinois volunteers; Lt. Col. H. Clay, Jr., Kentucky foot rifles; Captain Geo. Lincoln, Ass't Adj't Gen. U. S. A.; Capt. A. Porter, Arkansas cavalry; Capt. A. U. Morse, Capt. N. T. Willis, Capt. V. U. Morse, Kentucky rifles; Capt. Kinder, Capt. Walker, 2d regiment Indiana volunteers, Capt. Faggett, 3d do.; Capt. Zalskie, 1st regiment Illinois; Capt. Woodman, 3d do.; Lieut. R. S. Moore, Lieut. P. M. Nulty, Mississippi rifles; Lieut. Vaughan, 1st Kentucky cavalry; Lieut. Parr, 2d Indiana regiment; Lieut. Houghton, 1st Illinois regiment; Lieut. Benton, Lieut. Fletcher, Lieut. Ferguson, Lieut. Rollins, Lieut. Bartleson, Lieut. Atherton, Lieut. Price, and Lieut. Campbell, 2d Illinois regiment; Lieut. Campbell, Texas volunteers.

WOUNDED.—Brig. Gen. Lane, Indiana brigade; Col. J. P. Davis, 1st Miss. rifles, (severely); Major Gorham, Third Indiana regiment.

Captains Enoch String, 1st dragoons, (severely); J. M. Sharpe, Mississippi rifles; Saunders, 2d Regiment Indiana volunteers; Osburn, do. do.; Sleep, 3d do.; Coffee, 2d Regiment Illinois volunteers; Baker, do.; Conner, Texas do.

Lieutenants S. G. French, 3d artillery, seriously; J. J. P. O'Brien, 4th artillery, slightly; A. B. Corwin, Pacey, Stockton, Mississippi rifles; S. A. Redder, Arkansas cavalry; E. S. Barbour, 2d Kentucky foot rifles; Wethers, do. do.; Mosier, do. do.; Cager, 2d Indiana regiment; Pennington, do.; Morse, do.; Lewis, do.; Davis, do.; Epperson, do.; J. L. McConnell, 1st regiment Illinois; H. Adams, 1st do. do.; Pickett, 2d do. do.; Englesond, do. do.; Steele, West and Whiteside; all do.

RECAPITULATION.—Killed—3 colonels, 1 lieutenant colonel, 9 captains, 14 lieutenants. Total killed 27.

Wounded—1 brigadier general, 1 colonel, 1 major, 9 captains, 29 lieutenants. Total wounded 37.

LATEST PARTICULARS.—Another mail has arrived at New Orleans. A letter from a Mexican at Saltillo, dated on the 6th of March, states that in the battles at Buena Vista, Gen. Wool advanced with a strong detachment against the Mexicans, but was driven back with immense loss. The Mexican cavalry charged with drawn swords, and did great execution.

As Gen. Wool fell back, Gen. Taylor advanced with fresh troops, and repelled the Mexicans with great slaughter. This charge decided the battle.

On the 24th, both armies hung off without coming to a general engagement, being occupied by carrying off the wounded and burying the dead. After the 23th there was no more fighting. The Mexican troops famishing with hunger, and convinced that they could not drive Gen. Taylor from his position, retired.

The official despatches of Gen. Taylor have been cut off. Col. Morgan's regiment Ohio volunteers having been reinforced by a command from Monterey had reached that place in safety.

Col. Curtis of Ohio, with one company (Capt. Hunters) of the 2d U. S. dragoons, his own regiment, one of Indiana volunteers, the Virginia regiment, and we think some Texas rangers, in all about 2000 men, was about to leave Camargo to attack Gen. Urrea, who is said to be about thirty miles south of that place with an army of from 4000 to 5000 men, principally rancheros. He is believed to have with him only 1500 regular troops. A great many if not all of these rancheros, as soon as they hear of the discomfiture of Santa Anna's army, will disperse, and the gallant Colonel will no doubt obtain the victory.—*N. O. Pic.*

It will gratify the numerous friends of Col. Morgan, of the Ohio volunteers, to hear that he arrived safely at Monterey, having been reinforced by a detachment sent from Monterey to his assistance.—This is the same officer who was reported to have been taken prisoner, with several companies of his regiment, near Cerralvo.

We learn from a passenger arrived last evening, that it was supposed by many in Tampico, that if a bombardment should take place, the citizens of Vera Cruz will leave the city.

There was little doubt that there would be severe fighting at the Castle of San Juan de Ulloa. From the best sources of information, we have the report that an attack was to be made on Vera Cruz on or about the 23d of the present month.—*N. O. Delta.*

From the *N. O. (Evening) Mercury*, March 22.

The local news from Tampico is of no importance. All the troops destined for the attack of Vera Cruz had embarked at Lobos, and were to be landed at a point about twelve or fifteen miles north of Vera Cruz. Gen. Scott intended, if all things were ready, to commence the attack on the 22d (yesterday) and had with him, in all, fifteen or sixteen thousand men, a large portion of which are the choice troops of the army.

There are various opinions as to whether Vera Cruz or even the castle will be defended. Some accounts have it that there are not two days provisions in either, while others represent that the castle has six months provisions.

At Tuxpan, some distance south of Tampico, there was a body of fifteen hundred, of all arms of the enemy, and there were some apprehensions at Tampico that the place might be attacked during the attack upon Vera Cruz. The enemy, besides these fifteen hundred regulars, could raise in the surrounding country three or four thousand rancheros.

Should the Mexicans, however, contemplate attacking the place, they will be well received, as there is a garrison of 1500 men, consisting of the Louisiana volunteers, the Baltimore battalion, and one company of infantry of the regular service, and the place is well fortified.

A PATRIOTIC CLERGYMAN.—Captain Walker is enlisting men for his company of "rifles" at Annapolis. The correspondent of the Charleston News gives the following anecdote:—

The son of a Rev. Mr. Collins made up his mind to go, and went to ask his parent's permission, being a minor. The father endeavored to dissuade him from his intention, but finding him fixed in his determination, went with his son to Captain Walker's rendezvous, enlisted his son and saw him sworn into service, telling him, when he was duly apprenticed for five years to "Uncle Sam." Now, my son, I wish you to understand me; you have taken the oath to support the flag of your country, and if, when you meet a foe, you should ever run—run by home, and don't stop there, for I will never own you again.

NORSE ACT.—A Mexican physician residing in Camargo, says the Matamoros Flag, has received a letter from a surgeon at Saltillo, dated two days after the battle, which states that Gen. Taylor permitted Santa Anna to have all his wounded carried into Saltillo and tendered him surgical aid from his own army.

Col. Hardin, who fell at Buena Vista, was Henry Clay's nephew.

FROM SANTA FE.—A letter received in this city yesterday from Bent's Fort, dated the 1st of February, written by a man who had charge of the Government stock near Taos, at the time of the recent insurrection confirms the report heretofore published by us of the killing of Governor Charles Bent, Stephen and Elliott Lee, and the American citizens, and several Mexicans, at that place.

The writer, in a letter to his relative, says that after the massacre the Mexicans commenced stealing the stock he had in charge, and having learned what outrages they had committed in Taos, he fled to Bent's Fort. The letter puts an end to the hope entertained here, that the report might have been exaggerated or unfounded.

St. Louis Republican, March 18.

LATEST FROM THE ARMY.—The Matamoros flag states that Gen. Taylor was expected at Monterey on the 8th ult., with the Kentucky cavalry, for the purpose of opening a communication between Monterey and Camargo.

It was reported that Gen. Urrea had retreated towards the Tula Pass, when Col. Curtis marched against him, and it was also said that Santa Anna was falling back upon San Louis Potosi. Dr. Turner thinks that he retreated to Parras.

Gen. Taylor is stated to have been still at Buena Vista on the 5th ult.

The New Orleans Delta has a letter from Monterey, which states that Capt. Cassius M. Clay and his men have all been exchanged.

The New York Mirror has a letter from New Orleans, which says:—We have news of the defeat of Gen. Urrea by Col. Curtis.

NEW YORK CITY NEWS

DEATH BY POISON.—The Coroner was called yesterday to hold an inquest at No. 98 Sheriff street, on the body of Elizabeth Ann Wright, (wife of James Wright) a native of New York, aged 24 years, who expired suddenly on Sunday last. From evidence given before the Coroner, it appeared that the deceased and her husband went to reside at the above place about a week ago; that they lived unhappily together; that on Friday night last the deceased was taken sick, and vomited during the whole of that night, and continued to do so until about an hour before she died. Dr. Thomas Holmes made a post mortem examination of the body, and found the stomach indicated the presence of some poisonous substance, and that it had doubtless caused her death; but when and where it had been obtained, and by whom administered, could not be ascertained. Verdict accordingly.—*Express.*

DISHONEST OMNIBUS DRIVERS.—A gentleman has entered a complaint at the police office against certain Broadway drivers, who have been in the habit of passing off upon passengers, bogus money, in the way of leading shilling pieces. It is believed that there is an establishment in the city, where the article is manufactured. People must look out, and if possible detect the offenders.

CAMPFIRE ACCIDENT.—Bernard McGraw, an industrious boot-maker, residing in the fourth story of the building corner of Leonard and Church streets, while trimming a campfire lamp, about half-past 6 o'clock last evening, which he had on his lap for that purpose, was in the act of lighting the same, when it accidentally upset on his person, enveloping him in flames, burning his body, arms and hands in a dreadful manner. The Police of the 5th ward were immediately on the spot, and with their usual efficiency, readily extinguished the fire, with but trifling damage to the room. The unfortunate man was at once conveyed to the city Hospital in great agony, where every means were used to relieve his sufferings.—*Express*, of Thursday.

THE VICTORY NEWS.—There was great rejoicing in the city, Wednesday afternoon, when the news was announced that General Taylor had gained another famous victory. In half an hour after our evening paper was out, we verily believe that every American flag in the city was floating to the breeze, the City Hall, with at least two; and we noticed them floating above the hotels, and at the mast-head of the shipping. The excitement was truly intense.—*Ibid.*

The number of paupers dismissed from the Almshouse, during the past week, was ninety, making in all about 600, who have been sent into the country, since the first of March. Letters are daily received by the Commissioner from the farmers, throughout the country, who express a desire to employ all that may be obtained.—Most of the poor foreigners are delighted to go, but the Commissioner occasionally sears up a vagabond who refuses to go unless the terms suit him. One of these lazy fellows was offered \$12 per month to go upon a certain farm, and refused to because he thought the pay was too small.—Whereupon he was seized by the nap of the neck, and trotted into the street, to take care of himself. Served him right; do unto all of the same kidney likewise.

Ship Siddons, from Liverpool, arrive in port on Wednesday, having a cargo of 337 paupers! also, the ship Far West with 230,—total 567.

NATURAL CURIOSITY.—There is to be seen, at Liberty Hall, corner of Broadway and Cherry-st. St. Louis, a stone, or mineral substance, flat on one side, in the center of which is the head of an animal, more resembling that of a horse than any other, in such position as to present to view one eye and one nostril. This is surrounded by a formation resembling the coil of a snake of huge circumference, in the form of a perfect elliptical ring. This substance turned upside down, the other side exhibits the form of an enormous sized land terrapin, with its head drawn in, and its shell closed. It weighs 280 pounds, and was found 110 feet below the surface of the earth, in a shaft sinking for lead ore, in St. Francois county.

A SMUGGLER WORTH TWENTY MILLIONS OF MONEY!—There lives in Silsbee, peasant, named Gudulla, as he was called. He was formerly a smuggler. One day, the Custom House officers were pursuing him, and having fired, he was passed through his right arm, which was obliged to be amputated. Gudulla, forsook to seek another calling, established himself in a village called Rita. He had only been there a few days before his fortune turned, and he had the luck of discovering a valuable zinc mine, called Mary's Mine, and has now become one of the most profitable zinc mines of any in Europe. Gudulla, having asked and obtained permission to work his discovery, this peasant, who can neither read nor write, is now in possession of a fortune, estimated at 30,000,000 thalers, or about twenty millions of dollars. Gudulla is unmarried, and likewise being founding—having no relations or offspring, the whole of this immense property, according to the Prussian laws, will go to the King of Prussia. During his recent trip the King visited Gudulla, who felt highly honored by the visit; he is in good health for his time of life, being upwards of six years of age.

SINGULAR FATALITY.—M. C. Fage, of Royalton, Vt. says that some years ago Mathias Rust, of Tunbridge while carrying wood into his house, fell and expired instantly; a few years after the wife of Calvin Rust (son of Mathias) dropped to the floor while about her ordinary duties, and died instantly, and the 2d wife of Calvin Rust died after a sickness of 48 hours; on the 5th inst. Calvin Rust went to see the operation of raising stone from a quarry at Bethel, and was instantly killed by the falling of a part of its machinery; and on the 12th inst. Mrs. Ainsworth, (sister of Calvin Rust,) was riding in a sleigh down a hill with an ox-sled loaded in front and another in the rear; the oxen in the rear were unable to hold back the load, and ran upon the sleigh and forward team, by which concussion Mrs. A. was killed.

AN ENGLISH HEIRESS.—A novel elopement has amused not only the saloons of the London aristocracy, but all the gossip in the neighborhood of Bath; some time since, a citizen of Bath distinguished by his eccentricities and his large fortune, died, leaving but one inheritor of his immense property—a little niece endowed with all the gifts of nature, but in eccentricity rivaling her deceased uncle. In a watering place like Bath, the heiress soon became the point of attraction for many English peers involved in debt, and for many heron half-pay who laid their vows of eternal fidelity at her feet. Like Miss Angelina Burdett Coutts, the unfortunate young lady was so encompassed by a circle of admirers, in debt and titled, that her existence became a torment to her. Last month, it is the moment when the best informed persons talked knowingly of the success of a young and noble peer, they learned the disappearance of the beautiful heiress from the house of her guardian. After an active search they discovered that the belle of Bath had been married to one of the journeymen of the noble peer's tailor!

Courier des Etats Unis.

A NOVEL STAG CHASE.—A chase and death of a rather novel character occurred on the Baltimore and Ohio Railroad on Wednesday last. A deer, feeding by the road side, was started by the approach of the passenger train of Captain John C. Knelliey, near Pawpaw tunnel, and bounded off along the track, maintaining an even race for about three miles, when flesh and blood acknowledged the superiority of the iron racer. Making a desperate bound towards the embankment, the deer fell back and was caught by the "cow killer," from which it was taken, slaughtered, and its flesh duly appropriated to the epicurean palates of the ready purchasers at the town of Martinsburg.—*Balt. Sun.*

SINGULAR CONDUCT.—The Cataraugus Republican tells of a man named John W. Holmes, in the town of Ellicottville, who attempted to take the life of his child soon after it was born. Before it was dressed, Holmes snatched it out of the doctor's hands and ran with it to the woods, where he secreted it under the roots of a tree.—The doctor, as soon as he could leave the sick woman, followed him, and by the faint cries of the child found it as above stated. He wrapped it up in his coat, and returned to the house, where, incredible as it may appear, it is stated to be alive and doing well with a prospect of living to a good old age.

Holmes, who is the son of a Methodist clergyman, in East Otto, does not appear to be insane, but insists that he had a right to do as he pleased with his own child.

CUT DIRECT!—A young lady, with a horse and wagon, was driving from Newark to Westport. She overtook a young man going the same way, and as her horse became rather unmanageable, she requested him to jump in and drive for her. As he was getting into the wagon, "My!" said she, "you have been drinking rum!" and pushing him, she put whip to the horse, and dashed off as though "Old Nick" was after her. The young man afterwards declared that she must be one of the "smelling committee," for it had been an hour since he had drunk anything. Yes, good sir, all these Martha Washingtonians belong to the "smelling committee," and can smell the "critter" though a pound of spices may lay on the top of it.

In Ireland, a man who was hunted by the police for having committed a murder, was delivered up by his friends who were unable to save him from starvation.—He had been an athletic man, but his frame was so shattered, and his countenance so haggard, that he was not recognized until he gave his name. He said that he had supposed he would be hung, but even that was preferable to the "horrid death" which awaited him if he remained at large any longer.

[BY AUTHORITY.]

Laws of the United States

PASSED AT THE FIRST SESSION OF
THE TWENTY-NINTH CONGRESS.

[PUBLIC-NO. 63.]

AN ACT to equalize the compensation of the Surveyors General of the public lands of the United States, and for other purposes.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the thirtieth day of June, eighteen hundred and forty-six, the surveyor general of Wisconsin and Iowa, and the surveyor general of Arkansas shall each receive the same annual salary as the other surveyor general of the public lands of the United States; and each of said surveyors general shall be allowed the same amount for clerk hire in their respective offices as is now allowed by law for the office of the surveyor general northwest of the Ohio.

Sec. 2. And be it further enacted, That the surveyors general of the public lands of the United States, in addition to the oath now authorized by law to be administered to them on their appointment to office, shall require each of their deputies on the return of his surveys, to take and subscribe an oath or affirmation that those surveys have been faithfully and correctly executed according to law and the instructions of the surveyor general; and, on satisfactory evidence being presented to any court of competent jurisdiction, that such surveys, or any part thereof, had not been thus executed, the deputy making such false oath or affirmation shall be deemed guilty of perjury, and shall suffer all the pains and penalties attached to that offence; and the district attorney of the United States for the time being in whose district any such false, erroneous, or fraudulent surveys shall have been executed, shall, upon the application of the proper surveyor general, immediately institute suit upon the bond of such deputy, and the institution of such suit shall act as a lien upon any property owned or held by such deputy, or his sureties, at the time such suit was instituted.

JOHN W. DAVIS,

Speaker of the House of Representatives.

M. M. DALLAS,

President of the Senate.

Vice President of the United States.

Approved, August 8, 1846.

JAMES K. POLK.

[PUBLIC-NO. 64.]

AN ACT making copies of papers certified by the Secretary of the Senate and clerk of the House of Representatives legal evidence.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That extracts from the Journal of the Senate or of the House of Representatives, and of the Executive Journal of the Senate, when the injunction of secrecy is removed, duly certified by the Secretary of the Senate or by the Clerk of the House of Representatives, shall be admitted as evidence in the several courts of the United States, and shall have the same force and effect as the originals thereof would have if produced in court and proved.

Sec. 2. And be it further enacted, That for all such copies, certified as aforesaid, the Secretary of the Senate and Clerk of the House of Representatives shall be entitled to the same fees as are now allowed by law for similar services, to the Secretary of State.

Approved, August 8, 1846.

[PUBLIC-NO. 65.]

AN ACT to carry into effect the convention between the United States and the Republic of Peru, concluded at Lima, the seventeenth day of March, eighteen hundred and forty-one.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General of the United States shall be, and is hereby authorized and empowered to adjudicate the claims arising under the convention concluded between the United States and the Republic of Peru at Lima, the seventeenth March, eighteen hundred and forty-one; and shall, within the space of twelve months from and after the passing of this act, receive, examine, and decide upon the amount and validity of all such claims as may be presented to him and as are provided for by the said convention, according to the merits of the several cases, and the principles of justice, equity, and the law of nations, and the stipulations of the said convention, and the Attorney General shall be, and is hereby authorized and empowered to appoint the clerk of the Attorney General's office, or any other person to act as clerk under him in the performance of the duties prescribed by this act; and the Attorney General and the said clerk shall, before entering on such duties, severally take an oath for their faithful performance.

Sec. 2. And be it further enacted, That the Attorney General shall be, and is hereby authorized and empowered to make all needful rules and regulations, not contravening the laws of the land, the provisions of this act, or the provisions of the said convention, for carrying the said convention and this act into effect.

Sec. 3. And be it further enacted, That, all records, documents, or other papers which now are in, or hereafter may come into, the possession of the Department of State, in relation to the said claims, shall be delivered to the Attorney General, who shall forthwith, after the passing of this act, proceed to execute the duties hereby conferred on him, and shall give notice in one or more of the newspapers published in the city of Washington, and in such other newspapers published elsewhere as he may deem necessary, of his appointment to adjudicate the said claims, and requiring the claimants to present their claims and evidence; and shall thereafter proceed, with all convenient despatch, to arrange and docket the several claims, and to consider the evidence which shall have been or may be offered by the respective claimants, allowing such further time for the production of additional evidence as he shall consider reasonable and just; and shall thereafter adjudicate and determine the said claims, and award the ratable proportions of the several claimants in the sums which may have been received, and which may be hereafter received by the United States from the Republic of Peru, under the stipulation of the convention aforesaid.

Sec. 4. And be it further enacted, That the compensation of the Attorney General and his clerk, for their services in the adjudication of the said claims, and carrying the said convention and this act into effect, shall be as follows, and no more, to wit: two thousand dollars for the Attorney General, and one thousand dollars for his clerk, payable out of the first funds received under the said convention.

Sec. 5. And be it further enacted, That the Attorney General shall report to the Secretary of State a list of the several awards made by him, a certified copy of which shall be transmitted by the said Secretary of State to the Secretary of the Treasury, who shall, from time to time, as they may be received, distribute in ratable proportions among the persons in whose favor the awards shall have been made, such sums of money or securities as may have been received into the Treasury in virtue of the said convention; and this act, according to the proportion which their respective awards shall bear to the whole amount received, first deducting such sums of money as may be due to the United States from said persons in whose favor said awards shall have been made. And the said Secretary of the Treasury shall cause certificates to be issued, in such form as he shall prescribe, showing the proportion to which each claimant may be entitled of the amount to be received; and on the presentation of the said certificates at the Treasury, as the net proceeds of the several investments may be received, such proportions thereof shall be paid to the legal holders of said certificates.

Sec. 6. And be it further enacted, That the Secretary of the Treasury shall cause the several

instalments, with the interest thereon, payable to the United States in virtue of the said convention or the securities thereon, to be received from the Republic of Peru, and transferred to the United States, in such manner as he may deem best; and the net proceeds thereof to be paid into the Treasury, and the same are hereby appropriated to pay the awards herein provided for.

Sec. 7. And be it further enacted, That as soon as the duties hereby prescribed are completed by the Attorney General, the records, documents, and all other papers relating to the said claims in his possession shall be deposited in the office of the Secretary of State.

Approved, August 8, 1846.

[PUBLIC-NO. 66.]

AN ACT to establish an additional land district in Iowa.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the sale of public lands in the Territory of Iowa, an additional land district is hereby created, comprising all the land lying between the land dividing township thirty-five and seventy-six north, and the line dividing townships eighty-three and eighty-four north, which shall be called the Iowa district.

Sec. 2. And be it further enacted, That the land, and he is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and receiver of the public moneys for the said district, who shall respectively be required to reside at the site of said office, and who shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to other land offices of the United States.

Sec. 3. And be it further enacted, That the President is authorized to cause the public lands in the said district, with the exemption of sections numbering sixteen in each township, reserved for the use of schools, or such other lands as may be selected by law in lieu thereof, and of such other tracts as he may select for military or other purposes, to be exposed to sale in the same manner and upon the same terms and conditions as other public lands of the United States.

Sec. 4. And be it further enacted, That the President is hereby authorized to designate the site at which the said office shall be established, and to remove the same to any other place within said district, whenever, in his opinion, it may be deemed expedient.

Approved, August 8, 1846.

[PUBLIC-NO. 67.]

AN ACT to amend the act approved second April eighteen hundred and forty-four, entitled "An act directing the disposition of certain unclaimed goods, wares, or merchandise seized for being illegally imported into the United States."

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act entitled "An act directing the disposition of certain unclaimed goods, wares, merchandise seized for being illegally imported into the United States," approved April second, eighteen hundred and forty-four, shall apply to all property of the appraised value of one hundred dollars or less, anything contained in any other act to the contrary notwithstanding.

Approved, August 8, 1846.

[PUBLIC-NO. 68.]

AN ACT to enable the Secretary of the Navy to purchase the right of using Mix's patent mangle stopper.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby authorized to purchase of Mrs. Ann Mix, widow of M. P. Mix, late master commandant in the Navy, the unlimited power to use a machine called a "mangle stopper," in all ships of war or other vessels belonging to the United States; Provided, An assignment thereof can be obtained at a cost not exceeding three thousand dollars, which sum is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

Approved, August 8, 1846.

[PUBLIC-NO. 69.]

AN ACT to grant a certain quantity of land to aid in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal, in the Territory of Wisconsin.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is granted to the State of Wisconsin, on the admission of such State into the Union, for the purpose of improving the navigation of the Fox and Wisconsin rivers, in the Territory of Wisconsin, and of constructing the canal to unite the said rivers at or near the portage, a quantity of land equal to one-half of three sections in width, on each side of the said Fox river, and the lakes through which it passes, from its mouth to the point where the portage canal shall enter the same, and on each side of the said canal from one stream to the other, reserving the alternate sections to the United States, to be selected under the direction of the governor of said State, and such selection to be approved by the President of the United States. The said rivers, when improved, and the said canal, when finished, shall be and forever remain a public highway for the use of the Government of the United States, free from any toll or other charge whatever for the transportation of the mails, or for any property of the United States, or for persons or service passing upon or along the same; Provided, The said alternate sections, reserved to the United States, shall not be sold at a less rate than two dollars and fifty cents the acre; Provided, also, That no pre-emptive claim to the lands so reserved shall give the occupant, or any other person claiming through or under him, a right to said lands at any price less than the price fixed in this act, at the time of the settlement on said lands.

Sec. 2. And be it further enacted, That as soon as the Territory of Wisconsin shall be admitted as a State into the Union, all the lands granted by this act shall become the property of said State for the purpose contemplated in this act, and no other; Provided, That the legislature of said State shall agree to accept said grant upon the terms specified in this act; and shall have power to fix the price at which said lands shall be sold, not less than one dollar and twenty-five cents the acre; and to adopt such kind and plan of improvement on said route as the said legislature shall from time to time determine for the best interest of said State; Provided, also, That the lands hereby granted shall not be conveyed or disposed of by said State, except as said improvements shall progress; and that said State may sell so much of said lands as shall produce the sum of twenty thousand dollars, and then the sales shall cease until the governor of said State shall certify the fact to the President of the United States that one-half of said sum has been expended upon said improvements, when the said State may sell and dispose of a quantity of said lands sufficient to reimburse the amount expended; and thus the sales shall progress as the proceeds thereof shall be expended, and the fact of such expenditure certified in the manner herein mentioned.

Sec. 3. And be it further enacted, That the said improvements shall be commenced within three years after the said State shall be admitted into the Union, and completed within twenty years, or the United States shall be entitled to receive the amount for which any of said lands may have been sold by said State; Provided, That the title of purchasers under the sales made by the State, in pursuance of this act, shall be valid.

Approved, August 8, 1846.

[PUBLIC-NO. 70.]

AN ACT to authorize the constituted authorities of the county of Polk, in the Territory of Iowa, to enter a quarter section of land for a site of justice.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America

in Congress assembled, That the constituted authorities of the county of Polk, in the Territory of Iowa, be, and are hereby authorized to enter by legal subdivisions, the quarter section of land upon which Fort Des Moines, in the Territory of Iowa, is situated, upon paying the proper register and receiver therefor one dollar and a quarter per acre; Provided, That the seat of justice of said county is located on said section of land.

Approved, August 8, 1846.

PUBLIC NO. 71.

AN ACT authorizing the inhabitants of township one, of range thirteen east, Seneca county, Ohio, to relinquish certain lands selected for schools, and to obtain others in lieu of them.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on the relinquishment to the United States by the proper school trustees of township one, of range thirteen east, in Seneca county, Ohio, of all the right, title and interest of the inhabitants of said township to the east half and north-west quarter of section eight, in township ten south, of range nine east, containing four hundred and eighty acres, and Cedar Point, on Cedar Island, in Lake Erie, containing thirty-four acres and eighty-nine hundredths of an acre, heretofore selected for them as school lands, under the provisions of the act of twentieth May, eighteen hundred and twenty-six, entitled "An act to appropriate lands for the support of schools in certain townships and fractional townships not heretofore provided for," the said school trustees be and they are hereby authorized to select and enter, free of cost, a quantity not exceeding five hundred and fourteen acres of the lands belonging to the United States within the limits of the late Wyandott cession, or of any of the land districts in the State of Ohio, in tracts conforming to the subdivisions into which the lands shall be represented on the plats of survey; Provided, That the selections hereby authorized to be made shall not embrace lands upon which the assessed improvements of Indians have been made.

Sec. 2. And be it further enacted, That when the lands here authorized to be selected or entered shall have been approved by the Secretary of the Treasury, they shall be held by the inhabitants of the township herein first designated, by the same tenure, and upon the same terms, for the support of schools in said township, as if they had been selected under the provisions of the before-recited act of twentieth May, eighteen hundred and twenty-six.

Approved, August 8, 1846.

[PUBLIC-NO. 72.]

AN ACT authorizing the trustees of Tynocott township, Wyandott county, Ohio, to select lands for schools, within the Wyandott cession.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the school trustees of township one south, of range fourteen east, in Wyandott county, Ohio, be, and are hereby authorized to select and enter, free of cost, two hundred and twenty-five acres of land, within the Wyandott cession, or of any other lands within the State of Ohio, belonging to the United States, in tracts conforming to the subdivisions into which the lands shall be represented on the plats of survey; Provided, The selections hereby authorized to be made shall not embrace lands upon which the assessed improvements of Indians have been made.

Sec. 2. And be it further enacted, That, when the lands here authorized to be selected and entered shall have been approved by the Secretary of the Treasury, they shall be held by the inhabitants of the township herein designated, by the same tenure, and upon the same terms, for the support of schools in said township, as if they had been selected under the provisions of the general school law of the twentieth May, one thousand eight hundred and twenty-six.

Approved, August 8, 1846.

[PUBLIC-NO. 73.]

AN ACT to refund to certain persons an excess of duty exacted on the importation of foreign merchandise.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and required to pay to Manice, Phelps, and Company, and Manice, Gold, and Company, merchants of the city of New York, any excess of duty paid by them to the collector of the port of New York, upon the importation of certain Thibet shawls, worsted Valenciennes, worsted and cotton emmetts, brocheas, pinettes, and cashmerettes, since the thirteenth day of July, eighteen hundred and thirty-two, and thirty-eight, of goods legally chargeable with said duty to Halsted, Hanner, and Company, merchants of the city of New York, any excess of duty paid by them in the years eighteen hundred and thirty-three, eighteen hundred and thirty-four, eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine, upon the importation of worsted shawls, worsted cravats, and silk twists, beyond what the same were by law chargeable with an interest thereon from said time of payment; and also to pay to Edward Hardy, of the city of New York, any excess of duty paid by him on the importation, in the year eighteen hundred and thirty-eight, of goods, such as drawers, worsted Guernsey frocks, and cotton drawers, worsted Guernsey frocks, and cotton drawers, and worsted shirts and drawers, beyond what the same were chargeable with, and interest thereon from said time of payment; and also to pay to George Tully any excess of duty paid by him on the importation, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, and eighteen hundred and forty, of worsted shirts and drawers, beyond what was legally chargeable thereon, and interest on such excess from said time of payment; and also to pay to Smith, Thurgood, and Company, merchants of the city of New York, any excess of duty paid by them on the importation of goods, such as shawls, India matting, India weed, hemp carpeting, and jute carpeting, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, eighteen hundred and forty, and eighteen hundred and forty-one, beyond what the same were legally chargeable with, and interest on such excess; and also to pay to Jonathan Little, assignee of Whitley and Taylor, merchants of the city of New York, any excess of duty paid by them upon the importation of silk twist, in the years eighteen hundred and thirty-eight and eighteen hundred and thirty-nine, beyond what the same were legally chargeable with, and interest on such excess from said time of payment; and also to pay to the Treasury not otherwise appropriated; Provided, That, if either of the persons hereinbefore named is in any manner indebted to the United States, the sum so payable to such indebted person, or so much thereof as will be necessary, shall be retained in set-off to such indebtedness.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby authorized, out of any money in the Treasury not otherwise appropriated, to refund to the several persons entitled thereto, such sums of money as have been illegally exacted by collectors of customs, under the sanction of the Treasury Department, for duties on imported merchandise, since the third of March, eighteen hundred and thirty-three; Provided, That before any such refunding, the Secretary shall be satisfied, by decisions of the courts of the United States upon the principal involved, that such duties were illegally exacted; And provided, also, That such decisions of the courts shall have been adopted or acquiesced in by the Treasury Department as its rule of construction.

Approved, August 8, 1846.

[PUBLIC-NO. 74.]

AN ACT to refund to certain persons an excess of duty exacted on the importation of foreign merchandise.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and required to pay to Manice, Phelps, and Company, and Manice, Gold, and Company, merchants of the city of New York, any excess of duty paid by them to the collector of the port of New York, upon the importation of certain Thibet shawls, worsted Valenciennes, worsted and cotton emmetts, brocheas, pinettes, and cashmerettes, since the thirteenth day of July, eighteen hundred and thirty-two, and thirty-eight, of goods legally chargeable with said duty to Halsted, Hanner, and Company, merchants of the city of New York, any excess of duty paid by them in the years eighteen hundred and thirty-three, eighteen hundred and thirty-four, eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine, upon the importation of worsted shawls, worsted cravats, and silk twists, beyond what the same were by law chargeable with an interest thereon from said time of payment; and also to pay to Edward Hardy, of the city of New York, any excess of duty paid by him on the importation, in the year eighteen hundred and thirty-eight, of goods, such as drawers, worsted Guernsey frocks, and cotton drawers, worsted Guernsey frocks, and cotton drawers, and worsted shirts and drawers, beyond what the same were chargeable with, and interest thereon from said time of payment; and also to pay to George Tully any excess of duty paid by him on the importation, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, and eighteen hundred and forty, of worsted shirts and drawers, beyond what was legally chargeable thereon, and interest on such excess from said time of payment; and also to pay to Smith, Thurgood, and Company, merchants of the city of New York, any excess of duty paid by them on the importation of goods, such as shawls, India matting, India weed, hemp carpeting, and jute carpeting, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, eighteen hundred and forty, and eighteen hundred and forty-one, beyond what the same were legally chargeable with, and interest on such excess; and also to pay to Jonathan Little, assignee of Whitley and Taylor, merchants of the city of New York, any excess of duty paid by them upon the importation of silk twist, in the years eighteen hundred and thirty-eight and eighteen hundred and thirty-nine, beyond what the same were legally chargeable with, and interest on such excess from said time of payment; and also to pay to the Treasury not otherwise appropriated; Provided, That, if either of the persons hereinbefore named is in any manner indebted to the United States, the sum so payable to such indebted person, or so much thereof as will be necessary, shall be retained in set-off to such indebtedness.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby authorized, out of any money in the Treasury not otherwise appropriated, to refund to the several persons entitled thereto, such sums of money as have been illegally exacted by collectors of customs, under the sanction of the Treasury Department, for duties on imported merchandise, since the third of March, eighteen hundred and thirty-three; Provided, That before any such refunding, the Secretary shall be satisfied, by decisions of the courts of the United States upon the principal involved, that such duties were illegally exacted; And provided, also, That such decisions of the courts shall have been adopted or acquiesced in by the Treasury Department as its rule of construction.

Approved, August 8, 1846.

[PUBLIC-NO. 75.]

AN ACT to refund to certain persons an excess of duty exacted on the importation of foreign merchandise.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and required to pay to Manice, Phelps, and Company, and Manice, Gold, and Company, merchants of the city of New York, any excess of duty paid by them to the collector of the port of New York, upon the importation of certain Thibet shawls, worsted Valenciennes, worsted and cotton emmetts, brocheas, pinettes, and cashmerettes, since the thirteenth day of July, eighteen hundred and thirty-two, and thirty-eight, of goods legally chargeable with said duty to Halsted, Hanner, and Company, merchants of the city of New York, any excess of duty paid by them in the years eighteen hundred and thirty-three, eighteen hundred and thirty-four, eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine, upon the importation of worsted shawls, worsted cravats, and silk twists, beyond what the same were by law chargeable with an interest thereon from said time of payment; and also to pay to Edward Hardy, of the city of New York, any excess of duty paid by him on the importation, in the year eighteen hundred and thirty-eight, of goods, such as drawers, worsted Guernsey frocks, and cotton drawers, worsted Guernsey frocks, and cotton drawers, and worsted shirts and drawers, beyond what the same were chargeable with, and interest thereon from said time of payment; and also to pay to George Tully any excess of duty paid by him on the importation, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, and eighteen hundred and forty, of worsted shirts and drawers, beyond what was legally chargeable thereon, and interest on such excess from said time of payment; and also to pay to Smith, Thurgood, and Company, merchants of the city of New York, any excess of duty paid by them on the importation of goods, such as shawls, India matting, India weed, hemp carpeting, and jute carpeting, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, eighteen hundred and forty, and eighteen hundred and forty-one, beyond what the same were legally chargeable with, and interest on such excess; and also to pay to Jonathan Little, assignee of Whitley and Taylor, merchants of the city of New York, any excess of duty paid by them upon the importation of silk twist, in the years eighteen hundred and thirty-eight and eighteen hundred and thirty-nine, beyond what the same were legally chargeable with, and interest on such excess from said time of payment; and also to pay to the Treasury not otherwise appropriated; Provided, That, if either of the persons hereinbefore named is in any manner indebted to the United States, the sum so payable to such indebted person, or so much thereof as will be necessary, shall be retained in set-off to such indebtedness.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby authorized, out of any money in the Treasury not otherwise appropriated, to refund to the several persons entitled thereto, such sums of money as have been illegally exacted by collectors of customs, under the sanction of the Treasury Department, for duties on imported merchandise, since the third of March, eighteen hundred and thirty-three; Provided, That before any such refunding, the Secretary shall be satisfied, by decisions of the courts of the United States upon the principal involved, that such duties were illegally exacted; And provided, also, That such decisions of the courts shall have been adopted or acquiesced in by the Treasury Department as its rule of construction.

Approved, August 8, 1846.

[PUBLIC-NO. 76.]

AN ACT to refund to certain persons an excess of duty exacted on the importation of foreign merchandise.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and required to pay to Manice, Phelps, and Company, and Manice, Gold, and Company, merchants of the city of New York, any excess of duty paid by them to the collector of the port of New York, upon the importation of certain Thibet shawls, worsted Valenciennes, worsted and cotton emmetts, brocheas, pinettes, and cashmerettes, since the thirteenth day of July, eighteen hundred and thirty-two, and thirty-eight, of goods legally chargeable with said duty to Halsted, Hanner, and Company, merchants of the city of New York, any excess of duty paid by them in the years eighteen hundred and thirty-three, eighteen hundred and thirty-four, eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine, upon the importation of worsted shawls, worsted cravats, and silk twists, beyond what the same were by law chargeable with an interest thereon from said time of payment; and also to pay to Edward Hardy, of the city of New York, any excess of duty paid by him on the importation, in the year eighteen hundred and thirty-eight, of goods, such as drawers, worsted Guernsey frocks, and cotton drawers, worsted Guernsey frocks, and cotton drawers, and worsted shirts and drawers, beyond what the same were chargeable with, and interest thereon from said time of payment; and also to pay to George Tully any excess of duty paid by him on the importation, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, and eighteen hundred and forty, of worsted shirts and drawers, beyond what was legally chargeable thereon, and interest on such excess from said time of payment; and also to pay to Smith, Thurgood, and Company, merchants of the city of New York, any excess of duty paid by them on the importation of goods, such as shawls, India matting, India weed, hemp carpeting, and jute carpeting, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, eighteen hundred and forty, and eighteen hundred and forty-one, beyond what the same were legally chargeable with, and interest on such excess; and also to pay to Jonathan Little, assignee of Whitley and Taylor, merchants of the city of New York, any excess of duty paid by them upon the importation of silk twist, in the years eighteen hundred and thirty-eight and eighteen hundred and thirty-nine, beyond what the same were legally chargeable with, and interest on such excess from said time of payment; and also to pay to the Treasury not otherwise appropriated; Provided, That, if either of the persons hereinbefore named is in any manner indebted to the United States, the sum so payable to such indebted person, or so much thereof as will be necessary, shall be retained in set-off to such indebtedness.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby authorized, out of any money in the Treasury not otherwise appropriated, to refund to the several persons entitled thereto, such sums of money as have been illegally exacted by collectors of customs, under the sanction of the Treasury Department, for duties on imported merchandise, since the third of March, eighteen hundred and thirty-three; Provided, That before any such refunding, the Secretary shall be satisfied, by decisions of the courts of the United States upon the principal involved, that such duties were illegally exacted; And provided, also, That such decisions of the courts shall have been adopted or acquiesced in by the Treasury Department as its rule of construction.

Approved, August 8, 1846.

[PUBLIC-NO. 77.]

AN ACT to refund to certain persons an excess of duty exacted on the importation of foreign merchandise.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and required to pay to Manice, Phelps, and Company, and Manice, Gold, and Company, merchants of the city of New York, any excess of duty paid by them to the collector of the port of New York, upon the importation of certain Thibet shawls, worsted Valenciennes, worsted and cotton emmetts, brocheas, pinettes, and cashmerettes, since the thirteenth day of July, eighteen hundred and thirty-two, and thirty-eight, of goods legally chargeable with said duty to Halsted, Hanner, and Company, merchants of the city of New York, any excess of duty paid by them in the years eighteen hundred and thirty-three, eighteen hundred and thirty-four, eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine, upon the importation of worsted shawls, worsted cravats, and silk twists, beyond what the same were by law chargeable with an interest thereon from said time of payment; and also to pay to Edward Hardy, of the city of New York, any excess of duty paid by him on the importation, in the year eighteen hundred and thirty-eight, of goods, such as drawers, worsted Guernsey frocks, and cotton drawers, worsted Guernsey frocks, and cotton drawers, and worsted shirts and drawers, beyond what the same were chargeable with, and interest thereon from said time of payment; and also to pay to George Tully any excess of duty paid by him on the importation, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, and eighteen hundred and forty, of worsted shirts and drawers, beyond what was legally chargeable thereon, and interest on such excess from said time of payment; and also to pay to Smith, Thurgood, and Company, merchants of the city of New York, any excess of duty paid by them on the importation of goods, such as shawls, India matting, India weed, hemp carpeting, and jute carpeting, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, eighteen hundred and forty, and eighteen hundred and forty-one, beyond what the same were legally chargeable with, and interest on such excess; and also to pay to Jonathan Little, assignee of Whitley and Taylor, merchants of the city of New York, any excess of duty paid by them upon the importation of silk twist, in the years eighteen hundred and thirty-eight and eighteen hundred and thirty-nine, beyond what the same were legally chargeable with, and interest on such excess from said time of payment; and also to pay to the Treasury not otherwise appropriated; Provided, That, if either of the persons hereinbefore named is in any manner indebted to the United States, the sum so payable to such indebted person, or so much thereof as will be necessary, shall be retained in set-off to such indebtedness.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby authorized, out of any money in the Treasury not otherwise appropriated, to refund to the several persons entitled thereto, such sums of money as have been illegally exacted by collectors of customs, under the sanction of the Treasury Department, for duties on imported merchandise, since the third of March, eighteen hundred and thirty-three; Provided, That before any such refunding, the Secretary shall be satisfied, by decisions of the courts of the United States upon the principal involved, that such duties were illegally exacted; And provided, also, That such decisions of the courts shall have been adopted or acquiesced in by the Treasury Department as its rule of construction.

Approved, August 8, 1846.

[PUBLIC-NO. 78.]

AN ACT to refund to certain persons an excess of duty exacted on the importation of foreign merchandise.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and required to pay to Manice, Phelps, and Company, and Manice, Gold, and Company, merchants of the city of New York, any excess of duty paid by them to the collector of the port of New York, upon the importation of certain Thibet shawls, worsted Valenciennes, worsted and cotton emmetts, brocheas, pinettes, and cashmerettes, since the thirteenth day of July, eighteen hundred and thirty-two, and thirty-eight, of goods legally chargeable with said duty to Halsted, Hanner, and Company, merchants of the city of New York, any excess of duty paid by them in the years eighteen hundred and thirty-three, eighteen hundred and thirty-four, eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine, upon the importation of worsted shawls, worsted cravats, and silk twists, beyond what the same were by law chargeable with an interest thereon from said time of payment; and also to pay to Edward Hardy, of the city of New York, any excess of duty paid by him on the importation, in the year eighteen hundred and thirty-eight, of goods, such as drawers, worsted Guernsey frocks, and cotton drawers, worsted Guernsey frocks, and cotton drawers, and worsted shirts and drawers, beyond what the same were chargeable with, and interest thereon from said time of payment; and also to pay to George Tully any excess of duty paid by him on the importation, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, and eighteen hundred and forty, of worsted shirts and drawers, beyond what was legally chargeable thereon, and interest on such excess from said time of payment; and also to pay to Smith, Thurgood, and Company, merchants of the city of New York, any excess of duty paid by them on the importation of goods, such as shawls, India matting, India weed, hemp carpeting, and jute carpeting, in the years eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, eighteen hundred and forty, and eighteen hundred and forty-one, beyond what the same were legally chargeable with, and interest on such excess; and also to pay to Jonathan Little, assignee of Whitley and Taylor, merchants of the city of New York, any excess of duty paid by them upon the importation of silk twist, in the years eighteen hundred and thirty-eight and eighteen hundred and thirty-nine, beyond what the same were legally chargeable with, and interest on such excess from said time of payment; and also to pay to the Treasury not otherwise appropriated; Provided, That, if either of the persons hereinbefore named is in any manner indebted to the United States, the sum so payable to such indebted person, or so much thereof as will be necessary, shall be retained in set-off to such indebtedness.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby authorized, out of any money in the Treasury not otherwise appropriated, to refund to the several persons entitled thereto, such sums of money as have been illegally exacted by collectors of customs, under the sanction of the Treasury Department, for duties on imported merchandise, since the third of March, eighteen hundred and thirty-three; Provided, That before any such refunding, the Secretary shall be satisfied, by decisions of the courts of the United States upon the principal involved, that such duties were illegally exacted; And provided, also, That such decisions of the courts shall have been adopted or acquiesced in by the Treasury Department as its rule of construction.

Approved, August 8, 1846.

[PUBLIC-NO. 79.]